

EXHIBIT 3

Donna Watson

From: Donna Watson <dwatson@wmbac.com> on behalf of W. Kyle Carpenter <kcarpenter@wmbac.com>
Sent: Wednesday, July 31, 2019 12:30 PM
To: 'Laura Chapman'; Yasamin Parsafar (yparsafar@sheppardmullin.com); Mary Tom-Hum (MTom-Hum@sheppardmullin.com)
Cc: Robert Pitts; Jake Horton; 'Raymond E. Stephens'; Chad Hatmaker; W. Kyle Carpenter
Subject: ACT v. WIN - Depo Dates

Laura,

This will confirm that we can depose Mr. Nolte on August 9 in Los Angeles and Ms. Martone on August 23 in Iowa. I will take you up on your previous offer to conduct Mr. Nolte's deposition at your Century City office, if that offer still stands. Do you have a suggestion for a location for Ms. Martone?

In accordance with the Protective Order, I would request that you reconsider the designation of Mr. Nolte's Report as "Attorney's Eyes Only." I do not believe that this is an appropriate designation for the Report, and I do not understand how that designation can ever be maintained, if he is going to testify as to damages at trial. We are certainly hamstrung by not being able to consult with our client concerning his report.

We are working on the other dates which you reference in your e-mail, and I will get back to you as soon as I can.

W. Kyle Carpenter



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From: Laura Chapman [<mailto:LChapman@sheppardmullin.com>]
Sent: Tuesday, July 30, 2019 7:07 PM
To: W. Kyle Carpenter; Robert Pitts; Jake Horton; Raymond E. Stephens; Chad Hatmaker
Cc: Yasamin Parsafar; Mary Tom-Hum
Subject: Depo Dates

Dear Counsel:

David Nolte is available for deposition on August 9 in Los Angeles.
Andrea Martone is available for deposition on August 23 in Iowa.
Please send us dates for the WIN 30(b)(6) depo, and the dates you are available for the depositions of KY, AZ and Nering.

Sincerely,

Laura L. Chapman | Partner
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